

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

2006 APR 27 PM 3:17

OFFICE OF THE CLERK

SEALED

JUDITH TRACKWELL,

Plaintiff,

v.

B & J PARTNERSHIP, CLAY F.
SMITH, WILLIAM D. SMITH, A.
JOYCE SMITH, CAPITOL TITLE,
HOMESERVICES OF NEBRASKA,
CHICAGO TITLE, HOME REAL
ESTATE, HOME SERVICES OF
AMERICA, F. WARD HOPPE, SUSAN
LADUKE, JAMES LAMPHERE,
ROBERT MOLINE, MICHAEL
TAVLIN, and WOODS BROTHERS
REALTY,

Defendants.

4:05CV3171

SEALED
MEMORANDUM AND ORDER

Attorney Mary C. Wickenkamp has sent a letter to the court (attached) which I construe as a motion to disqualify my law clerk, Cheryl R. Zwart, from further participation in these matters. I have investigated the allegations in the letter, and Ms. Zwart has also checked the applicable file in the District Court of Lancaster County, Nebraska and prepared an affidavit of her investigation of it, which is also attached.

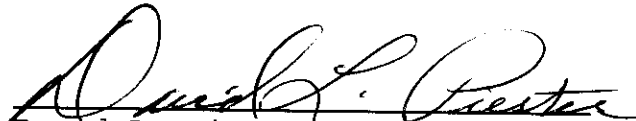
I see no conflict of interest nor any appearance of impropriety in Ms. Zwart's continued involvement in these matters. They are totally unrelated to the facts now before this court and the state matter was dismissed in 1999, over six years ago.

IT THEREFORE HEREBY IS ORDERED,

The letter received from attorney Mary C. Wickenkamp, construed as a motion to disqualify Cheryl R. Zwart from further participation in assisting me in these matters, is denied.

DATED this 27th day of April, 2006.

BY THE COURT:


David L. Piester
United States Magistrate Judge